

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

INTERPHALANGEAL FUSION PIN

the specification of which (check one)

☒ [X] is attached hereto.

☐ [] was filed on _____ as Application
Serial No. _____ and was amended on
_____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application or to the patentability of the invention claimed therein in accordance with Title 37, Code of Federal Regulations, section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

			Priority Claim	
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____

DECLARATION AND POWER OF ATTORNEY

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States Provisional application(s) listed below:

PRIOR PROVISIONAL APPLICATIONS

(application serial number)

(Month / Day / Year filed)

(application serial number)

(Month / Day / Year filed)

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status - patented, pending, abandoned
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Mark Morrison, Reg. No. 33,428, and Stephen J. Foss, Reg. No. 31,251, Richard W. Warner, Reg. No. 38,043, Preston H. Smirman, Reg. No. 35,365, and each other principal, attorney of counsel, associate and employee of Harness, Dickey & Pierce, P.L.C. who is a registered Patent Attorney, as attorney of record, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Harness, Dickey & Pierce, P.L.C. P.O. Box 828, Bloomfield Hills, Michigan 48303 (telephone 248-641-1600).

Full name of sole or first inventor: Andrew Carver

Inventor's signature: _____

Date: 2/12/01

Residence: P.O. Box 562, Ross, California 94957

Citizenship: United States of America

Post Office Address: P.O. Box 562, Ross, California 94957

09882320 061501

DECLARATION AND POWER OF ATTORNEY

Full name of second joint inventor: Lowell S. Weil, Sr.

Second Inventor's signature: 

Date: _____

Residence: 750 Glendale Drive, Glenview, Illinois 60025

Citizenship: United States of America

Post Office Address: 750 Glendale Drive, Glenview, Illinois 60025

Full name of third joint inventor: Tim Lessek

Third Inventor's signature: 

Date: 2/1/01

Residence: 39 North Orchard Drive, Apt. #4, Warsaw, Indiana 46582

Citizenship: United States of America

Post Office Address: 39 North Orchard Drive, Apt. #4, Warsaw, Indiana 46582

Full name of fourth joint inventor: William S. Pietrzak

Fourth Inventor's signature: 

Date: 2/1/01

Residence: 1691 South Meadow Drive, Warsaw, Indiana 46580

Citizenship: United States of America

Post Office Address: 1691 South Meadow Drive, Warsaw, Indiana 46580

FOI b7D b7C b7E b7F b7G b7H b7I b7J b7K b7L b7M b7N b7O b7P b7Q b7R b7S b7T b7U b7V b7W b7X b7Y b7Z

As a below named inventor, I hereby declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

the specification of which (check one)

[] was filed on _____ as Application
Serial No. _____ and was amended on _____
(if applicable).

I acknowledge the duty to disclose information which is material to the examination of this application or to the patentability of the invention claimed therein in accordance with Title 37, Code of Federal Regulations, section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claim

Page 1 of 3

DECLARATION AND POWER OF ATTORNEY

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States Provisional application(s) listed below:

PRIOR PROVISIONAL APPLICATIONS

(application serial number) (Month / Day / Year filed)

(application serial number) (Month / Day / Year filed)

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status - patented, pending, abandoned
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Mark Morrison, Reg. No. 33,428, and Stephen J. Foss, Reg. No. 31,251, Richard W. Warner, Reg. No. 38,043, Preston H. Smirman, Reg. No. 35,365, and each other principal, attorney of counsel, associate and employee of Harness, Dickey & Pierce, P.L.C. who is a registered Patent Attorney, as attorney of record, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Harness, Dickey & Pierce, P.L.C. P.O. Box 828, Bloomfield Hills, Michigan 48303 (telephone 248-641-1600).

Full name of sole or first inventor: Andrew Carver

Inventor's signature: _____

Date: _____

Residence: P.O. Box 562, Ross, California 94957

Citizenship: United States of America

Post Office Address: P.O. Box 562, Ross, California 94957

09832220-061501

DECLARATION AND POWER OF ATTORNEY

Full name of second joint inventor: Lowell S. Weir, Sr.

Second Inventor's signature: _____

Date: _____

Residence: 750 Glendale Drive, Glenview, Illinois 60025

Citizenship: United States of America

Post Office Address: 750 Glendale Drive, Glenview, Illinois 60025

Full name of third joint inventor: Tim Lessek

Third Inventor's signature: _____

Date: _____

Residence: 39 North Orchard Drive, Apt. #4, Warsaw, Indiana 46582

Citizenship: United States of America

Post Office Address: 39 North Orchard Drive, Apt. #4, Warsaw, Indiana 46582

Full name of fourth joint inventor: William S. Pietrzak

Fourth Inventor's signature: _____

Date: _____

Residence: 1691 South Meadow Drive, Warsaw, Indiana 46580

Citizenship: United States of America

Post Office Address: 1691 South Meadow Drive, Warsaw, Indiana 46580

09882320 "061501
T05T90" 02E28860

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit:	To Be Assigned)	ESTABLISHMENT OF ASSIGNEE'S RIGHT TO PROSECUTE APPLICATION UNDER 37 C.F.R. § 3.73(b), AND POWER OF ATTORNEY
)	
Examiner:	To Be Assigned)	
)	
Inventor(s):	Carver, et al.)	
)	
Serial No.	To Be Assigned)	
Filed:	Concurrently Herewith)	
)	
For:	Interphalangeal Fusion Pin)	
)	
)	

Hon. Commissioner Of Patents & Trademarks
Washington, D. C. 20231

Sir:

Under 37 C.F.R. § 3.73(b), the undersigned hereby establishes the below-named
Assignee's ownership in the above-identified Application:

Assignee: Biomet, Inc.
Airport Industrial Park
Warsaw, IN 46580

The documentary evidence of a chain of title from the original owner to the Assignee is
provided in the Assignment Document(s):

 X filed herewith.
 previously filed,
Reel No. _____, Frame No. _____.

I hereby declare that all statements made herein of my own knowledge are true, and
that all statements made on information and belief are believed to be true; and further that

09882320-061501

SECRET

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

1. Schrift. Ha

Name: Daniel P. Hann
Title: Senior Vice President, General Counsel
Assignee: Biomet, Inc.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	To Be Assigned
Filing Date	Concurrently Herewith
First Named Inventor	Carver
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket Number	5490-000216

I hereby appoint:

☐ Practitioners at Customer Number
OR

Place Customer
Number Bar Code
Label here

☒ Practitioner(s) named below:

Name	Registration Number
Mark Morrison	33,428
Stephen J. Foss	31,251
Richard W. Warner	38,043
Preston H. Smirman	35,365

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.
OR

☒ Firm or
Individual Name Harness, Dickey & Pierce, P.L.C.

Address P.O. Box 828

Address

City Bloomfield Hills State MI ZIP 48303-0828

Country

Telephone Fax

I am the:

☐ Applicant.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name Daniel P. Hann

Signature

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

0982320-061501